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Medicare Part D and its Effect on Long Term Care and Nursing Home Residents.

As of January 1, 2006 Medicare Part D (Medicare's prescription drug plan) will be effective for everyone under Medicare. The enrollment period for Medicare Part D is November 15th 2005 through May 15th 2006 for those individuals not on Medicaid. If a nursing home resident is on Medicaid, their Medicare Part D Prescription Drug Plan (PDP) will be assigned to them effective January 1st, 2006 if the resident has not selected a PDP.

If the resident is **not** a privately paying for nursing home care, and is considered dually enrolled (under Medicaid/T-19/Medical Assistance and Medicare), they will automatically be enrolled into Medicare Part D January 1st, 2006 by the Center for Medicare and Medicaid Services (CMS). That is, they will be assigned a PDP provider if they have not selected one by January 1st, 2006. If the assigned PDP plan is not optimal for the resident, they may move from one PDP to another at any time as needed.

Privately paying nursing home residents enrolled in Medicare will need to decide if they want to enroll in a PDP and, if so, which one. The resident should seek the help of a trusted advisor or relative if they choose not to decide on a PDP themselves. If the resident cannot make a reasonable decision, it may be necessary to have a guardian appointed, or a limited power of attorney may be contemplated to act on behalf of the resident. Remember a non-Medicaid nursing home resident will not automatically be enrolled in a PDP. Once a PDP has been chosen by a non-Medicaid nursing home resident, they are locked into the PDP chosen for a 1-year period. November 15th through December 31st of each year Medicare enrollees may change to a different PDP if they choose.

Emergency supply: If a resident's PDP does not provide the resident the needed medication from the list of covered drugs (the formulary), the PDP will have an emergency supply or "first fill" policy for LTC residents while their case is being reviewed. As a matter of course, all Nursing Home residents must get their prescriptions without delay.

A Nursing Home **cannot and will not make the decision to enroll a nursing home resident in a PDP.** It is important to make sure a nursing home resident has a proper PDP plan as of January 1, 2006 if they are enrolled in both Medicare and Medicaid, otherwise they will be randomly assigned to a PDP. It is equally important that a family member, or a guardian or other legal representative assist the non-Medicaid nursing home resident with a plan by May 15th, 2006 to avoid any late enrollment penalty. In any event, a Nursing Home will not enroll a resident.

If you have questions or concerns you may call the State Health Insurance assistance Program at 1-800-242-1060 or the Medicare Part D Prescription Drug Help Line at 866-456-8211.

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